MEETINGS TO DATE 29 NO. OF REGULARS 18 NO. OF SPECIALS 11

LANCASTER, NEW YORK SEPTEMBER 17, 1990

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 17th day of September 1990 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK

BRUCE SHEARER, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY

NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Adrian J. Andrusz for property situate at the southeast corner of the intersection of North Maple Drive and Wehrle Drive, from a R-1, Residential District One, to a RCO, Residential Commercial Office District, a MFR-3, Multi-family District 3, and a portion to remain a R-1, Residential District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, the Erie County Division of Planning, and the Town Clerk of the Town of Clarence, notifying them of the time and place of this Public Hearing.

 $\begin{tabular}{ll} The Town Clerk presented a letter from the Town of Lancaster \\ Planning Board recommending approval of the proposed rezone. \\ \end{tabular}$

PROPONENTS

ADDRESS

Adrian J. Andrusz, the petitioner William Tyne, Architect for the petitioner John Davies John Nuttle Kirk Andrusz 6 Wainwright Ct., Lancaster 15 Wainwright Ct., Lancaster 1021 Maple Rd., Elma

207 N. Maple Dr., Lancaster

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ADDRESS

OPPONENTS
None

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PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:

QUESTIONS

ADDRESS

Anthony DiStefano Frank Cullinan Frances Martin Burt Maggio Sy Kolassa Anthony Costanza George Miner Florence McAleer Gloria Kubicki 226 N. Maple Dr., Lancaster 161 N. Maple Dr., Lancaster 175 N. Maple Dr., Lancaster 23 Wainwright Ct., Lancaster 118 Maple Dr., Lancaster 222 N. Maple Dr., Lancaster 1477 Wehrle Dr., Clarence, 206 N. Maple Dr., Lancaster 15 N. Maple Dr., Lancaster

COMMENTS

ADDRESS

None

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:15 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 9:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon proposed amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, designated as Chapter 46 of the Code of said Town.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

ADDRESS

None

OPPONENTS

ADDRESS

Gregory Waite Andrew Shelbert Thomas Krueger 16 West Home Road, Lancaster 10 Redlein Drive, Lancaster 15 Redlein Drive, Lancaster

QUESTIONS ONLY

ADDRESS

None

COMMENTS ONLY

ADDRESS

None

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:35 P.M.

Councilman Czapla informed those present that the Town Board would reserve decision on this matter.

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board, held on September 4, 1990, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 20, 1990

File: R.MIN (P1)

PREFILED RESOLUTION NO. 2 - MEETING OF SEPTEMBER 17, 1990 Czapla/____ Amend V & T Ordinance Councilman Czapla withdrew this resolution for additional consultation with the Chief of Police.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

WHEREAS, Donato Developers, 1025 N. French Road, Cheektowaga, New York 14227, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Deer Cross Subdivision, Phase II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 228, 229, 230 and 231 of Donato Developers, 1025 N. French Road, Cheektowaga, New York 14227, for the installation of:

P.I.P. No. 228 - Excavate and landscape detention pond (Detention Pond)

P.I.P. No. 229 - Install 855 LF 8" PVC, 1-8" gate valve, 1 hydrant (Water Line)

P.I.P. No. 230 - 332 LF of 10" CMP, 583 LF of 12" CMP, 393 LF of 18" (Storm Sewer) CMP, 45 LF of 24" CMP, 56 LF of 12" RCP, 28 LF of 24" RCP, 1145 LF 6" PVC, 375 LF of 8" PVC, 178 LF of 10" PVC, 5 manholes, 6 receivers

P.I.P. No. 231 - 2534 s.y. pavement, 1420 LF upright curb (Pavement/Curbs)

be and are hereby approved and the installation of the improvement requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.P.I.P.A (P7)

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PREFILED RESOLUTION NO. 4 - MEETING OF SEPTEMBER 17, 1990 Czapla/_____ Set Public Hearing - Local law No. 3 - 1990 "Alarm Systems" The Town Clerk requested that this resolution be withdrawn so that he may review and comment upon this proposed Local Law.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, Donato Developers, Inc., 1025 N. French Road, Cheektowaga, New York 14227, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Deer Cross Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit application Nos. 219 and 220 of Donato Developers, Inc., 1025 N. French Road, Cheektowaga, New York 14227, for the installation of:

P.I.P. No. 219 - Install 2355 LF of 8" PVC waterline and fittings (Water Line) with 5 hydrants.

P.I.P. No. 220 - Install 2250 LF of Pavement and 4500 LF of upright (Pavement & Curb) curb and underdrain.

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Eric County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.P.I.P. (P2)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, Josela Enterprises, Inc. has constructed a water line public improvement in Southpoint Subdivision, which will interface with a water line in Forestream Subdivision, and

WHEREAS, the Erie County Water Authority will not accept that portion of the water line constructed as a public improvement where the right of way has not been dedicated to the Town, and

WHEREAS, the Water Authority will accept the before mentioned water line where an agreement has been executed between the Town and Developer providing an easement over the property, as well as an Agreement between the Erie County Water and the Town, and

WHEREAS, the Town Board has, after review and consideration, deemed it to be in the public interest to gain acceptance of that portion of the water line by the Erie County Water Authority for purposes of the Lease Management Agreement between the Town and Water Authority in order to assure adequate water pressure within the Southpoint Subdivision and the south end of Aurora Street;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute an Agreement with Josela Enterprises, Inc. and further authorizes the execution by the Town Board of the Agreement with the Erie County Water Authority to provide for the inclusion of the entire water line within Southpoint Subdivision and its interface with the water line in the Forestream Subdivision in the Lease Management Agreement between the Town of Lancaster and Erie County Water Authority.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

WHEREAS, the Town of Lancaster has advertised for public bid for the removal of fuel storage tanks located at the Town Center, 525 Pavement Road, Lancaster, New York, and

WHEREAS, public bids were received and opened on September 7, 1990,

WHEREAS, the consulting engineer and Town Attorney have reviewed the bids and recommended that the lowest responsible bidder is Environmental Service Group, Inc., P.O.Box 242, 177 Wales Avenue, Tonawanda, New York 14150 in the sum of \$20,970.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for the removal of fuel storage tanks at the Town Center, to Environmental Service Group, Inc., P.O. Box 242, 177 Wales Avenue, Tonawanda, New York 14150, lowest responsible bidder, for the sum of \$20,970.00 accordance with specifications.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIIMAN CZAPLA VOTED YES
COUNCIIMAN GIZA VOTED YES
COUNCIIMAN KWAK VOTED YES
COUNCIIMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

FILE: R.AWRD.BD.FUEL.TNKS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

WHEREAS, Lake Forest Development, Inc.4600 Main Street, Snyder, New York 14222 has requested the Town Board of the Town of Lancaster to accept work completed under Public Improvement Permits within Lake Forest Subdivision, Phase I, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvements within Lake Forest Subdivision, Phase I, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 178 - Storm Sewers

P.I.P. No. 179 - Pavement and Curbs

P.I.P. No. 180 - Water Line

conditioned, however, upon the following:

- Receipt and approval by the Town Attorney of deeds, easements title report, title insurance and bill of sale to improvements for the property conveyed to the Town of Lancaster.
- Receipt and approval by the Town Clerk of two (2) year maintenance bonds for each of the improvements accepted herein in the amount of 25% of the value of the accepted improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YSE

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.P.I.P. (P5)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER, NEW YORK, ADOPTED SEPTEMBER 17, 1990, AUTHORIZING THE PURCHASE OF AN AMBULANCE FOR USE BY SAID TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$90,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$90,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Lancaster, in the County of Erie, New York (herein called "Town"), is hereby authorized to purchase an ambulance for use by said Town, including equipment and furnishings used in connection with such vehicle. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$90,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$90,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$90,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

- (a) The period of probable usefulness of said specific object or purpose for which said \$90,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 27-a of the Law, is ten (10) years; however, the proposed maturity of said serial bonds or any bond anticipation notes issued in anticipation thereof shall not exceed five (5) years from the original date of issuance of such obligations.
- (b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 d. 4 of the Law.
- (c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general

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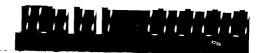
obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

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(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by §81.00 of the Law in the "LANCASTER BEE," a newspaper published in Buffalo, New York, having a general circulation in the Town and hereby designated the official newspaper of said Town for such publication.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, Dana Warman, Lake Forest Development, 4600 Main Street, Snyder, New York 14226, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Lake Forest Subdivision and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No. 226 and No. 227 of Lake Forest Development, 4600 Main Street, Snyder, New York 14226, for the installation of:

P.I.P. No. 226 - Installation of 19 street lights (Street Lighting)

P.I.P. No. 227 - Approx. 5,000 L.F. of concrete sidewalk, 4 ft. wide (Sidewalk)

be and are hereby approved and the installation of the improvement requested be and are hereby authorized, subject to the following condition:

No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.P.I.P.A (P1)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town Attorney has advised the Town Board that there is a need to add a laser printer to the computer in his office to facilitate the more effective use of the computer, and

WHEREAS, current funds are available in budget of the Town Attorney in Account No. A1420.210 to provide for the purchase of a laser printer;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancater hereby authorizes the Town Attorney to purchase ab Okidata Laser Printer Model No. in the sum in the sum not to exceed \$1,425.00 to be purchased out of current funds in the Town Attorney's Budget Account No. A1420.210.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to advertise for bids to furnish one (1) new 1990 Emergency Medical Vehicle for use by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders be published in the Lancaster Bee and be posted according to Law that the Town Board will receive bids up to 10:30 A.M., Local Time on October 10, 1990, to furnish One (1) new 1990 Emergency Medical Vehicle in accordance with specifications on file in the office of the Town Clerk, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

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LEGAL NOTICE

TOWN OF LANCASTER NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Supervisor or his designee of the Town of Lancaster, Erie County, New York, at the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:30 A.M. Local Time, on the 10th day of October, 1990 for furnishing to the Town of Lanaster One (1) new 1990 Emergency Medical Vehicle for use by the Town of Lancaster in accordance with specifications on file in the Town Clerk's Office in the Lancaster Town Hall.

A certified check in the amount of One Thousand Dollars (\$1,000.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Town reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

September 17, 1990

PREFILED RESOLUTION NO. 13 - MEETING OF SEPTEMBER 17, 1990 Kwak/____ Authorize Issuance of P.I.P. No 222 - Hillview Estates, Phase I Councilman Kwak withdrew this resolution until such time as a subdivision map is filed for this subdivision.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, Pat and Carol Battista, 354 Westwood Road, Lancaster, New York, 14086, by letter dated August 7, 1990, requested a refund of their tree planting fee submitted to the Town of Lancaster, with their Building Permit Application No. 530 of the year 1989, and

WHEREAS, the Chairman of the Tree Planting Committee of the Town
Board of the Town of Lancaster has reported that he has inspected the premises
at 354 Westwood Road and found it to be more that adequately forested with
healthy trees of various varieties and not in need of further planting under
the Official Tree Planting Program of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized to prepare a voucher and refund to Pat and Carol Battista, 354 Westwood Road, Lancaster, New York 14086, the sum of \$120.00 representing the tree planting fee collected by the Town of Lancaster under Building Permit No. 530 of the year 1989.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.BLDG (P5)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the TOWN BOARD OF THE TOWN OF LANCASTER herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in the State Contract, herein called the "Project", is desirable, in the public interest, and is required in order to study and/or implement the local project or program; and

whereas, under Chapter 53, Sections 1 and 2, of the Laws of 1990 relating to the Local Assistance Budge, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement; and

WHEREAS, the Municipality has examined and duly considered Chapter 53, Sections 1 and 2, of the laws of 1990 relating to the Local Assistance Budget and deems it to be in the public interest and benefit under this law to enter into a contract therewith:

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster, as follows:

- That the Supervisor of the Town of Lancaster is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State, and to provide such additional information as may be required;
- 2. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the State Contract
- That this Resolution take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town of Lancaster has advertised for public bid to furnish to the Town of Lancaster One (1) New One-Ton Dump Truck and

WHEREAS, bids were received and opened on September 17, 1990, and

WHEREAS, the Working Crew Chief of the Building Maintenance Department has reviewed bids and recommended that the lowest responsible bidder is Mid-City Dodge, 2185 Walden Avenue, Cheektowaga, New York in the amount of \$16,755.00;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for a One-Ton Dump Truck to MID-CITY DODGE, 2185 Walden Avenue, Cheektowaga, New York, being the lowest responsible bidder, in the amount of \$16,755.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

Claim No. 15554 to Claim No. 15735 Inclusive. Total amount hereby authorized to be paid:

\$441,022.81

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster.
- (CSW) = Conditional sidewalk waiver.

NO.	CODE	NAME	ADDRESS	STRUCTURE
534		Majestic Pools	525 Erie St	ER. POOL
535	(T)	All-Craft Inc.	12 Southpoint Dr	ER. SIN. DWLG
536		Charles Agnello	20 Quail Hollow	ER. SHED
537		Schmitt's Garage	5225 Genesee St	EXT. BUSINESS
538		Anastasi Trucking	4777 Transit Rd	REMOVE TANK
539		Browning Home Improve.	1305 Ransom Rd	ALT. SIN. DWLG
540		Advision Inc.	4705 Transit Rd	ER. SIGN
541		Cortese Bros.	45 Heritage Dr	EXT. SIN. DLWG, ERECT DECK
542		Deborah Willadsen	165 Iroquois Ave	ER. PORCH
543		Michael Ottaviano	549 Lake Ave	DEM. 1/2 BARN
544		Karen Walsh	117 Peppermint Rd	ER. POOL, FENCE
545		C.R. Capozzi	6 Rose Hill Cir	ER. SHED, DECK
546		Karen Vitale	565 Ransom Rd	ER. FENCE
547		Chris Parrinelli	8 Maple Dr	EX. DWELLING
548		Mr. & Mrs. F. Rago	177 Peppermint Rd	ER. POOL
549		Dynamic Enterprises	3909 Genesee St	REPAIR FIRE ESCAPE
550	(T)	Pat Eddy	86 Transit Blvd	ER. SIN. DWELLING
551	(T)	Pat Eddy	90 Transit Blvd	ER. SIN. DWELLING
552		Geraldine Nickden	63 Stutzman Rd	ER. FENCE
553		Shirley Kirchberger	49 Running Brook Dr	ER. DECK
554		Mr/Mrs Dennis Richards	36 Nichter Rd	ER. GARAGE
555		Mary Faulhaber	5002 William St	ALTER, DEM. SIN. DWELLING
556	(T)	R.A.G. Bldg. Cor.	187 Enchanted For. S	ER. SIN. DWLG
557		Jams C. Fronzek	5156 Genesee St	ER. SIGN

558	M/M Koblich	561 Ransom Rd	EXT. SHED
559 (T)	Donato Developers	12 Greenbriar Dr	ER. SIN. DWLG
560 (T)	Donato Developers	20 Greenbriar Dr	ER. SIN. DWLG
561 (T)	Donato Developers	26 Via Donato	ER. SIN. DWLG
562 (T)	Alliance Homes	1161 Penora St	ER. SIN. DWLG
563 (T)	Marrano Marc Equity	26 Sprucewood Terr	ER. SIN. DWLG
564 (T)	Marrano Marc Equity	4 Hemlock La	ER. SIN. DWLG
565 (T)(SW)	James R. Kwitowski	1114 Townline Rd	ER. SIN. DWLG
566 (T)(SW)	Berger Brothers	704 Hall Rd	ER. SIN. DWLG
567 (T)	Genesis Homes Inc.	23 Lake Forest Pkwy	ER. SIN. DWLG
and,			

BE IT FURTHER

RESOLVED, that Building Permit No. 522 of Helen Fahey to erect a single dwelling on premises situate at 6211 Genesee Street, which permit was previously tabled at the Town Board meeting of September 4, 1990 pending a Zoning Board decision, and on which a favorable decision was made on September 13, 1990, be and is hereby authorized, and

BE IT FURTHER

RESOLVED, that Building Permit No. 523 of Nawrocki Homes, to errect a single dwelling on premiss situate at 282 Warner Road, which permit was previously tabled at the Town Board meeting of September 4, 1990, be and is hereby authorized, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990 File: R.BLDG (P1-2)

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

WHEREAS, the Assessor of the Town of Lancaster, by letter dated September 17, 1990, has requested permission to have Diane Augustine attend a personal computer training program sponsored by the Erie County Assessors' Association, which program consists of 12 two hour sessions, from 10:00 a.m. to 12:00 p.m., on Tuesdays and Thursdays,

NOW, THEREFORE, BE IT

RESOLVED, that **DIANE AUGUSTINE**, a Supervising Tax Clerk in the Assessor's Office of the Town of Lancaster, be and is hereby authorized to attend a personal computer training program sponsored by the Erie County Assessors' Association, which program consists of 12 two hour sessions, from 10:00 a.m. to 12:00 p.m., on Tuesdays and Thursdays, with expense reimbursement authorized for all ordinary expenses in an amount not to exceed 125.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.SEM.MTGS (P1)





Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

WHEREAS, the developer of Deer Cross Subdivision, by letter dated September 12, 1990, has requested authorization to construct a model home within Deer Cross Subdivision, prior to acceptance by the Town Board of the public improvements contained therein, and

WHEREAS, the Building Inspector, by letter dated September 13, 1990, has recommended to the Town Board the granting of this request,

NOW, THEREFORE, BE IT RESOLVED, as follows:

SECTION 1: That the Building Inspector of the Town of Lancaster be and is hereby authorized to accept, process, and this Board hereby approves the issuance of a building permit for a model home within Deer Cross Subdivision, prior to acceptance by the Town Board of the public improvements contained within this subdivision.

SECTION 2: That this authorization for a model home is a conditional authorization and is subject to receipt by the Town Clerk of the Town of Lancaster of a letter from Donato Developers Inc. stating that the model home, whose construction is authorized herein, shall be demolished and removed from the premises at no cost to the Town of Lancaster upon 30 days notice from the Town Board of the Town of Lancaster should the developer fail to install within one year those public improvements required within Deer Cross Subdivision pursuant to the Public Improvement Permit Ordinance of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN MULLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.BLDG (P5)

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

WHEREAS, Senior Citizens are revered members of our society and the need for nutritious and wholesome meals are essential to their health and well being, and

WHEREAS, volunteers weekly deliver wholesome meals to the homebound, frail, and elderly people of the Town of Lancaster through facilities leased by the Town Board of the Town of Lancaster at the Lancaster Central Avenue Community Center, and

WHEREAS, the Lancaster Town Board wishes further to support this project by payment of the monthly phone bills for the Lancaster Meals on Wheels Program,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and is hereby authorized and directed to prepare a voucher for presentation to the Town Board for payment, payable to the Trinity Episcopal Church, 5448 Broadway, Lancaster, New York, in the amount of \$276.58, said payment reimbursing the Trinity Episcopal Church for payments to the New York Telephone Company for telephone service for the Lancaster Meals on Wheels Program for the period December 28, 1989 to August 28, 1990, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized and directed to contact the New York Telephone Company and direct that all future bills for the Lancaster Meals on Wheels Program be sent to the Town Clerk's Office, Town of Lancaster, 21 Central Avenue, Lancaster, New York 14086, and,

BE IT FURTHER

RESOLVED, that these bills are to be paid on behalf of the Lancaster Meals On Wheels Program from the Town of Lancaster Senior Citizens Budget Account No. 01-7610-0406.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

File: R.ACCT.TRNS

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution: SUSPENSION GRANTED.

> THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER WHO MOVED ITS ADOPTION, SECONDED BY THE ENTIRE TOWN BOARD , TO WIT:

WHEREAS, the Town Board has reviewed a report made by the Town Assessor regarding special franchise and ceiling railroad assessments made by the State Board of Equalization and Assessments within the Town of Lancaster, and

WHEREAS, the Town Board, after due consideration has determined that the State Board of Equalization and Assessment has caused a disproportionate reduction in special franchise and ceiling railroad assessments in the Town of Lancaster compared to surrounding communities, and

WHEREAS, the Town of Lancaster has by the arbitrary treatment meted out by the State Board of Equalization and Assessments, consequently seen the value of the new growth of all taxing entities (school, county and town) diverted to paying the share of the state assessed properties reduction, which has impacted residential tax burden again disproportionately to the tax burden of residents in surrounding communities, and

WHEREAS, the Town Board has, upon further review, discovered that the Town of Orchard Park, who also has completed revaluation has similarly been adversely impacted by the action of the New York State Board of Equalization and Assessment unlike communities which have not elected revaluation in 1990;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes the Governor of the State of New York; Senator Dale Volker; Assemblymen Vincent J. Graber; Attorney General Robert Abrams; Senate Majority Leader Ralph J. Marino; and Assembly Speaker Mel Miller that the Town Board of the Town of Lancater is of the opinion that the State Board of Equalization and Assessments has failed to maintain parity between locally assessed

residential rates and the rates which the special franchise and ceiling railroads are assessed by the State Board of Equalization and Assessments, which has resulted in a significant and disturbing impact on resident taxpayers of the Town of Lancaster. The Town Board further requests that an immediate investigation be made of the practices employed by the State Board of Equalization and Assessment in determining special franchise and ceiling railroad assessments in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Foreman of the Buildings and Maintenance Section of the Town of Lancaster, by letter dated September 13, 1990, has informed the Town Board of the need for a more efficient heating system for the rear hallway of the Town Hall at 21 Central Avenue, and

WHEREAS, the Buildings Committee of the Town Board recommends that a new heating system be installed,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1. That bids be received by the Supervisor or his designee on the lst day of October, 1990 at 10:30 o'clock A.M., Local Time, for furnishing to the Town of Lancaster Eleven (11) Ceramic Thermal Storage Units and equipment incidental thereto, to be installed in the rear hallway of the Town Hall at 21 Central Avenue, in accordance with specifications on file in the Town Clerk's Office.
- 2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post Notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 4, 1990

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LEGAL NOTICE TOWN OF LANCASTER NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed Bids will be received by the Supervisor of the Town of Lancaster, New York, or his designee, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:30 o'clock A.M., Local Time, on the 1st day of October, 1990, for the purpose of furnishing to the Town of Lancaster Eleven (11) Ceramic Thermal Storage Units and equipment related thereto, in accordance with specifications on file in the Town Clerk's office in the Town Hall.

A certified check or bid bond in an amount representing five per centum (5%) of the total Bid, payable to the Supervisor of the Town of Lancaster, and a non-collusive bidding certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

> TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

September 17, 1990

File: R. Not. Bdrs. Htq. Units. Tn. Hall

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK, TO WIT:

WHEREAS, the Executive Director of the Town of Lancaster, by letter dated September 14, 1990, has requested permission to attend the Association of New York State Youth Bureaus September Board and Committee meetings on September 17th and 18th, 1990, in Syracuse, New York,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN TROJANOWSKY, Executive Director of the Youth Bureau of the Town of Lancaster, be and is hereby authorized to attend the Association of New York State Youth Bureaus September Board and Committee meetings on September 17th and 18th, 1990, in Syracuse, New York, with expense reimbursement authorized for all ordinary expenses in an amount not to exceed 100.00, plus mileage, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

September 17, 1990 File: R.SEM.MTGS (P2)

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STATUS REPORT ON UNIFINISHED BUSINESS:

- Detention Basin Milton Drive
 On September 4, 1990 the Supervisor reported that the will shortly meet with David Pratt of Pratt and Huth Associates.
- Dumping Permit Walter Mikowski
 On March 14, 1990, this matter was referred to the Town Engineer and
 Building Inspector for review and recommendation.
- 3. <u>Dumping Permit New Creation Fellowship</u>
 This matter is presently before the Town Board Drainage Committee for study.
- 4. <u>Public Improvement Permit Authorization Deer Cross Subdivision, Phase I</u> (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

 Public Improvement Permit Authorization - Deer Cross Subdivision, Phase II (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

6. <u>Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I</u> (Dilapo)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Curbs	Yes	Yes	Yes
Floodway Grading	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

7. Public Improvement Permit Authorization - Forestream Village Subdivision,
Phase II (DiLapo)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Floodway (S. Branch)	Yes	No	No
East Culvert (S. Branch)	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

8. Public <u>Improvement Permit Authorization - Hillview Estates Subdivision</u>, <u>Phase I</u> (Hillview Development)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	No	No	No
Pavement and Curbs	No	No	No
Storm Sewers	No	No	No
Detention Basin	No	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

9. <u>Public Improvement Permit Authorization - Indian Pine Village Subdivision</u> (Fischione Const., Inc.)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

10. <u>Public Improvement Permit Authorization - Lake Forest Subdivision, Phase I</u> (Dana Warman)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	No
Pavement and Curbs	Yes	Yes	No
Storm Sewers	Yes	Yes	No
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

11. <u>Public Improvement Permit Authorization - Meadowland Subdivision</u> (Bosse)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

12. <u>Public Improvement Permit Authorization - The Meadows Subdivision</u> (Giallanza)

D ACCEPT	ED BONDED
Yes	Yes
Yes	Yes
Yes	Yes
n/a	n/a
s No	No
n/a	n/a
	Yes Yes Yes n/a No



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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

13. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Y e s	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	Yes	No
Sidewalks	Yes	n/a	n/a

14. <u>Public Improvement Permit Authorization - Pine Tree Farm, Phase II</u> (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Y e s	Yes	No
Sidewalks	Yes	n/a	n/a

15. <u>Public Improvement Permit Authorization - Stony Brook, Phase I</u> (Stephens)

(archiens)			
TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement & Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Area 1	Yes	No	No
Detention Area 2	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

16. Public Improvement Permit Authorization - Plumb Estates (Galasso)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	Yes	n/a
Sidewalks	Yes	n/a	n/a

17. <u>Public Improvement Permit Authorization - Southpoint Subdivision, Phase I</u> (Josela)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
E. Detention Pond	Yes	No	No
W. Detention Pond	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

18. <u>Public Improvement Permit Authorization - Southpoint Subdivision, Phase II (Josela)</u>

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	No	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

 Public Improvement Permit Authorization - Southpoint Subdivision, Water Interconnection Line with Forestream (Josela)

TYPE		ISSUED	ACCEPTED	BONDED
Waterline	(ONLY)	Yes	No	No

 Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	Yes	No	No
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

21. <u>Public Improvement Permit Authorization - Warnerview Estates, Phase II</u> (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Detention Basin	n/a	n/a	n/a
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a

22. Public Improvement Permit Authorization - West Warner Estates

TYPE	ISSUED	ACCEPTED	BONDED
Storm Sewers (CNLY)	Yes	No	No

 Public Improvement Permit Authorization - Willow Ridge Subdivision (Cimato Bros.)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

24. <u>Public Improvement Permit Authorization - Windsor Ridge Subdivision, Phase I</u> (M. J. Peterson)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	No	No	No
Storm Sewers	Yes	No	No
Detention Basin	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a

25. Rezone Petition - Adrian J. Andrusz
On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner. On June 4, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step SEQR Review. On August 14, 1990, the Town Clerk referred a revised rezone petition to the Planning Board for review and recommendation. On September 4, 1990 the Town Board set a Public Hearing on this revised petition for September 17, 1990. On September 17, 1990 the Town Board held a Public Hearing on this matter and reserved decision.

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

- Rezone Petition Belmont Shelter Corp. (5818 Broadway)
 On August 17,1990, this matter was referred to the Planning Board for review and recommendation.
- 27. Rezone Petition Bhagwanji/Nalini Kunvarji (West of 130 Maple Road)
 On June 25, 1990, this matter was referred to the Planning Board for review and recommendation. On August 1, 1990, the Planning Board failed to reach a consensus on this matter and returned it to the Town Board without recommendation. On August 20, 1990 the Town Board set a Public Hearing on this matter for September 4, 1990.
- 28. Rezone Petition Lancastershire, Inc. (Broadway near Lancaster Country Club)
 On June 4, 1990, the Town Board held a public hearing on this matter and reserved decision. Next step SEQR Review. On July 9, 1990, the Town Board adopted a SEQR Negative Declaration on this matter. On August 15, 1990, the Town Clerk referred an amendment to the rezone petition to the Planning Board for review and recommendation.
- 29. Rezone Petition Marinaccio Concrete and Trucking (Ransom Road)
 On July 16, 1990, the Town Board set a Public Hearing on this for
 August 6, 1990. On August 6, 1990, the Town Board held a public hearing
 on this matter and reserved decision.
- 30. Rezone Petition McGuire Group (Wehrle Drive)
 On May 7, 1990, the Town Board held a public hearing on this matter and reserved decision. On May 21, 1990, the Town Board held a SEQR hearing on this matter and tabled its decision pending receipt of additional data from the petitioner.
- 31. <u>State Contract Grant 40 Clark Street Museum</u>. Application for grant has been filed.
- 32. <u>Subdivision Approval Bowen Road Square (Off Bowen Road)</u>
 On August 30, 1990 the developer tendered to the Town Clerk a subdivision filing fee of \$1,135.00. On August 1, 1990 the Planning Board recommended approval of the preliminary plat. Next step, SEQR and Town Board Approval of final plat.
- 33. <u>Subdivision Approval The Crossings (Off Erie St.)</u>
 On June 5, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$590.00. Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.
- 34. <u>Subdivision Approval East Brook Estates (Off Bowen Road)</u>
 This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
- 35. <u>Subdivision Approval Grafton Park Subdivision (Broadway and Steinfeldt)</u>
 This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

- 36. Subdivision Approval Hidden Hollow (Off Green Meadow Drive)
 This matter awaits formal filing with the Town Clerk. No engineering review fee has been received. On March 21, 1990, the Planning Board voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQR negative declaration on this matter.
- 37. Subdivision Approval Hillview Estates (Off Pleasant View Drive)
 This matter awaits formal filing with the Town Clerk. No engineering
 review fee has been received. On March 21, 1990, the Planning Board
 voted preliminary approval. On May 7, 1990, the Town Board adopted a SEQR
 negative declaration on this matter.
- 38. Subdivision Approval Lake Forest South (Off Lake Avenue)
 On January 27, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$250.00. On December 18, 1989, a SEQR Negative Declaration was adopted. On February 5, 1990, the Town Engineer recommended conditional approval of this project. On December 16, 1989, the Planning Board recommended approval of this project.
- 39. <u>Subdivision Approval Parkridge (Off William Street)</u>
 This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
- 40. <u>Subdivision Approval Stony Brook Subdivision</u>, Phase II (South Side of <u>Pleaseant View Drive</u>)
 This matter awaits formal filing with the Town Clerk. No engineering review fee has been received.
- 41. Subdivision Approval Thruway Industrial Park (Off Gunville Rd.)
 On October 4, 1989, the Planning Board approved the site plan for this subdivision. On October 13, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$415.00. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter.
- 42. Subdivision Approval West Warner Estates (Ogiony Off Warner Road)
 On April 26, 1990, the developer tendered to the Town Clerk a subdivision filing fee of \$400.00. On March 21, 1990, the Planning Board voted preliminary approval. On August 6, 1990, the Town Board adopted a SEQR negative declaration on this matter. On September 4, 1990 the Town Board approved the filing of a map cover for this subdivision. On September 17, 1990, a map cover was filed with Erie County Clerk's Office for the subject. The Town Clerk was directed to remove this item from future Town Board agendas.
- 43. <u>Subdivision Approval Woodgate (Josela Off Aurora St.)</u>
 On August 1, 1989, the developer tendered to the Town Clerk a subdivision filing fee of \$1350.00. On November 20, 1989 a SEQR negative declaration was adopted.

PERSONS ADDRESSING THE TOWN BOARD:

Gloria Kubicki, 15 Maple Drive, spoke to the Town Board about competitive bidding for resale of items collected for re-cycling purposes.

COMMU	NICATIONS	Page 863 DISPOSITION
989.	Lovell <u>SAFETY NEWS</u> - Three bulletins.	R & F
990.	The Governor to Supervisor - Request participation in Census review program.	R & F
991.	County Dept. of Emergency Services to Various Officials - Notice of informational seminar to be held on 9/25/90 at the Buffalo Airport.	R&F
992.	Supervisor to Office of Community Development - Request suggestions re: use of Town's CDBG funding.	R&F
993.	Supervisor to County Div. of Highways - Request reconsideration of removal of trees re: Como Park Blvd. reconstruction.	R & F
994.	Town Attorney to Ogiony Builders - Advisement re: curb cut repair at 48 Country Pl.	R & F
995.	Town Attorney to Pratt & Huth Associates - Transmittal of data related to Milton Dr. detention basin.	R & F
996.	Police Chief to Chair., Public Safety Committee - Request authorization to pay tuition expenses for Karen Freund's computer courses.	- R&F
997.	Town Attorney to Marrano/Marc Equity and Donato Developers - Directive re: removal of trees between 18 and 20 Greenmeadow Dr. (drainage area).	
998. I		R & F
999. 1	Assemblyman Graber to Supervisor - Information regarding grant for Walden Pond Park.	R & F
1000.	J. Miller to Noreast Board Members - Minutes of Meeting 8/16/90 at Depew.	R & F
1001.	NOREC to Town Clerk - Minutes of Meeting 8/16/90 for Northern Recycling Council.	R & F
1002.	District Conservationist to Supervisor - Transmittal of list identifying those soils in Erie County most likely to be wetlands.	SUPERVISOR
1003.	Library Director to Supervisor - Recommendations for replacing & reconstructing the roof on the Depew Library.	ENGINEER g
1004.		R & F
1005.	Federal Emergency Management Agency to Supervisor Re: Forestream Village Subdivision.	rENGINEER, TOWN ATTORNEY
1006.	Parrino, Cooper, Butler & Dobson to Town Board - Re: Rezoning Maple Drive (Econolodge).	R & F
1007.	Economic Development Corp. to Supervisor - Plant Closings and Cutbacks.	INDUSTRIAL FORUM OF EASTERN ERIE CO.

COMUNICATIONS CONT'D.	DISPOSITION
1008. Erie County Division of Planning to Town Clerk Reply regarding rezone of Kunvarji.	R&F
1009. Assemblyman Graber to Town Clerk - Acknowledge receipt of resolution passed by Town Board on new Cemetery Road overpass.	R & F
1010. N. Maple Drive Resident to Town Board - Concerns regarding the rezone of N. Maple Dr	R&F
1011. Town of Boston to Town Board - Transmittal of Resolution regarding extensio of LLRT.	R & F
1012. Erie County Division of Planning to Town Clerk Reply regarding Andrusz Rezone.	- R&F
1013. Planning Board Chairman to Marrano Marc Equity Approval of sketch plan for Stony Brook Subdivision.	- R&F
1014. Planning Board to Town Board - Planning Board Minutes of Meeting held 9/5/9	R&F
1015. Deer Cross Subdivision, Phase II to Town Board Application for P.I.P.#229 - Water Line, #231 - Pavement & Curbs, #230-Storm Sewer, #228 - Detention Pond.	- R & F
1016. Building Inspector to Supervisor - Review of census figures.	SUPERVISOR, BUILDING INSPECTOR
1017. Working Crew Chief to Town Board - Requests funds for heat/air conditioning at Recreation Center.	CAPITAL COMMITTEE
1018. Town Engineers to Town Board - Recommendation of bid for fuel storage tanks at Lancaster Center.	R & F
1019. County Dept. of Public Works to Supervisor - Response to letter re: tree removal along Como Park Blvd.	R & F
1020. TVGA to Supervisor - Preliminary Plan for Depew Library.	SUPERVISOR
1021. ECEP to Supervisor - Concurrence that Town be lead agency for amended Larkspur project.	R & F
1022. Daniel J. Jaszka, Jr. to Supervisor - Letter re: drainage problems at rear of properties on Hidden Trail.	DRAINAGE COMMITTEE ENGINEER
1023. ENCRPB to Supervisor - Notice of Notification of Information Conference to be held 9/19/90 in Amherst.	SUPERVISOR
1024. Town Engineers to Town Board - Transmittal of Town's modified standard details.	ENGINEER, TOWN ATTORNEY
1025. ECDEP to Pat Eddy Const ECSD No. 4 request for sewer permits for 86 and 90 Transit Blvd.	R & F
1026. County Personnel Dept. to Town - Request input re: typing and steno performance tests.	R & F
1027. Town Engineers to Dana Warman - Directive re: detention basin in Lake Forest Subdivision, Phase I.	R & F

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COMMI	VICATIONS CONT'D.	DISPOSITION
1028. Town Engineers to Town Board -	R & F	
	Recommend acceptance of P.I.P. Nos. 178, 179, and 180 re: Lake Forest Sub., Phase I.	
1029.	Working Crew Chief to Town Board - Request bid opening for thermal storage units	R & F
1030.	Town Attorney to Town Board - Requests approval to purchase Laser Printer.	R & F
1031.	Town Attorney to Thomas Moscati - Rechannelization of Slate Bottom Creek; Foresteam Subdivision - FEMA.	R & F
1032.	Town Attorney to McIntosh & McIntosh - Foresteam Village Subdivision - FEMA. Additional information requested.	R & F
1033.	Town Attorney to Town Board - Comments regarding revision of may for Forestream Subdivision.	R&F
1034.	Town Attorney to Charles A. Lindsey - FEMA map revision, Slate Bottom Creek, Case No. 90-02-07R; Community No. 360249.	R & F
1035.	Town Attorney to New Creation Fellowship - Requesting restoration work at Genesee St. Bowmansville, New York.	R & F
1036.	Town Attorney to James J. Kirisits - Conditional letter of Map Revision from FEMA, Foresteam Subdivision.	R & F
1037.	Town Attorney to Robert J. Pierce - Conditional Letter of Map Revision from FEMA, Forestream Subdivision.	R & F
1038.	Sidewalk easement for property at 1161 Penora St	R&F
	Supervisor Keysa requested a suspension of tate consideration of the following communication NSION GRANTED.	the necessary rule for as -
1039.	Donato Developers Inc. to Building Department- Request permission to start building a model home in Deer Cross Subdivision.	R & F
1040.	Building Inspector to Town Board - Request prmission to issue a building permit to erect a model home in Deer Cross Sub.	R & F
1041.	Building Inspector to Town Board - Request permission to waive dumpster on site at 1161 Penora Street.	BUILDING INSPECTOR WAIVE REQUIREMENT
1042.	Homes by Helenbrook to Town Board - Request partial refund of refuse fee.	PHYLLIS
1043.	Supervisor to Senator Volker and Asssemblyman Graber - Re: State assessment of real property in Town of Lancaster.	R & F
1044.	Working Crew Chief to Town Board - Re: Bid Opening, 9/17/90 for new dump truck.	R & F
1045.	Executive Director Youth Bureau to Supervisor - Request permission to attend the Association of N.Y.S. Youth Bureaus 9/17/-9/18/90 at	R & F
	Executive Director Youth Bureau to Supervisor - Request permission to attend the Association	R & F





COMMUNICATIONS CONT'D.:

1046. Bella Vista Group to Supervisor - Re: Transit-French Shopping Center.

1047. Assessor to Town Board Request D. Augustine to attend a personal
computer training course.

DISPOSITION

PLANNING COMMITTEE

TOWN CLERK FOR RESOLUTION

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:45 P.M. out of respect to:

THADDEOUS SAMULSKI DELORES E. SCHROEDER

Signed

Robert P. Thill, Town Clerk